



The State University
of New York

Office of General Counsel

Stony Brook Regional Office
Stony Brook University
Administration Building, Room 328
Stony Brook, New York 11794-1212

www.suny.edu

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COMMISSION

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December 12, 2014

VIA EMAIL

Federal Election Commission
Office of Complaints Examination and
Legal Administration
999 E Street, N.W.
Washington, D.C. 20436

Attention: Frankie Hampton, Paralegal

RE: MUR 6898

Dear Ms. Hampton:

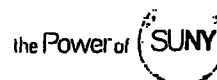
The State University of New York at Stony Brook submits this response to the above-referenced complaint filed by Ms. Laura Doukas, President of the College Republicans, a Stony Brook University student club.

The majority of Ms. Doukas' complaint centers on her allegation that Stony Brook University ("SBU") made an 'in kind' contribution to a political campaign when it hosted a political rally for Congressman Timothy Bishop in October 2014. The attached documentation and the facts provided herein demonstrate that Ms. Doukas' allegation is wholly unfounded. In fact, the rally was sponsored by another student club, the College Democrats, and all of the costs incurred for the event (venue, catering, police and janitorial) were paid by the New York State Democratic Committee, in accordance with all federal campaign regulations. No contribution was made to the campaign by the University. Ms. Doukas' remaining allegation regarding Stony Brook University's failure to allow another student club to host a similar event is also contradicted by the facts as described below.

Background

On or about September 17, 2014, the College Democrats, a recognized student club at SBU approached Mr. Anthony LaViscount, Director of Student Activities to discuss the possibility of hosting a program to increase voter awareness. At the time, the students were unsure of the format and attendees of the program since it would be largely dependent upon candidates'

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schedules. The following week, on September 22nd, the College Democrats approached Mr. LaViscount again, this time requesting permission to host Congressman Bishop and Congresswoman Meng on campus during Campus Lifetime. Campus Lifetime is a weekly event on SBU's campus. Every Wednesday from 1:00 p.m.-2:20 p.m., there are typically no classes scheduled and instead, Student Life events are scheduled such as Homecoming Rallies, Farmers Markets, Diversity Day and Club Involvement Fairs. The event proposed by the College Democrats consisted of the two members of Congress taking a walking tour of the campus and speaking with students about current issues such as the cost of education, student loans, and the importance of voting. The event was reviewed by the Student Activities Office which reviews the request to ensure that there are no scheduling conflicts and where applicable, that the student group has sufficient funds available to pay for the event. The event was scheduled, and took place on September 24, 2014.

After receiving the College Democrats' request to host Congressman Bishop and Congresswoman Meng, Mr. LaViscount immediately contacted the College Republicans to tell them about the event and to remind them that they had the same opportunity. In an email dated September 23, 2014, Mr. LaViscount advised the College Republicans that he "recently received a request from the College Democrats to host congress members on campus for a program and ... wanted to extend the same invitation to you." (A copy of Mr. LaViscount's email is attached to this submission as Exhibit A.) Mr. LaViscount did not receive a response to this email. This was not the first time Mr. LaViscount had corresponded with Ms. Doukas. The year before, Mr. LaViscount had emailed Ms. Doukas and advised her how to go about posting Republican Club events on the Student Life listserv as well as on SB Life. A copy of that email is attached as Exhibit B.

On or about October 12th, the College Democrats again approached Mr. LaViscount (via email) this time with a request to host a rally with Congressman Bishop with the possibility that former President Clinton would also appear. The proposed date of the rally was October 22, 2014. Mr. LaViscount met with Susan DiMonda, Associate Dean and Director of Student Life to discuss the event. It was decided that, due to Mr. LaViscount's other work commitments (he was assisting other student groups with two large concerts), Ms. DiMonda would liaison with the College Democrats as the club planned the event.

Event Preparation

Ms. DiMonda proceeded to work with Kevin Gomez, President of the College Democrats as well as representatives from the offices of the Staller Center, University Police, Conferences and Special Events and External Relations to ensure that, University policies and procedures regarding scheduling, security, logistics and costs were properly addressed. Whenever

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University facilities, such as a venue (in this case the Staller Center), police services and/or catering services are used, even if the use is by a student club there are fees that must be paid. In this case, the College Democrats did not have the funds to pay for an event of this magnitude and it was agreed that the New York State Democratic Committee would pay all of the costs (at the usual rates) incurred in hosting the event. A contract was prepared between the Undergraduate Student Government (the contracting body for all student clubs and organizations) and the New York State Democratic Committee (NYSDC). The contract provided that the NYSDC would appear for the event on October 22, 2014 and would "be responsible for all charges incurred by USG in connection with the appearance including any and all expenses for rental of Staller Center Main State, University Police Department services, and Undergraduate Student Government Ticket Box Office". A copy of this contract is attached as Exhibit C.

Publicizing the Event

All Student Life events are posted on the Student Life calendar which is updated on Sundays and Thursdays. An example of a typical Student Life calendar is attached as Exhibit D. However, when there is short-notice for an event, such as happened here, Student Life will send an email blast to alert students of the event. Two days before this event, on October 20, 2014 Mr. Gomez, Ms. DiMonda and others met with members of the Bishop Campaign and the Secret Service to conduct a walk-through of the Staller Main Stage and discuss specific details regarding the event. Also on this day, final approval of the promotional flyer was received from the Bishop Campaign. Since this final approval was given on a Monday and the event was scheduled for Wednesday, October 22nd, the University followed its procedure in short turn-around situations and sent an email blast via the Student Life listserv. The email blast was sent by the Office of Student Life on October 20, 2014 with the flyer attached; student emails were not given to the NYSDC as erroneously alleged by Ms. Doukas. The flyer that was attached to the notice clearly indicates that the event was "paid for by the New York State Democratic Committee". A copy of the flyer is attached as Exhibit E. It should be noted that the event was not publically promoted in the press or electronic media as alleged in Ms. Doukas' complaint. Since it was a student event, it was only advertised on campus. This differs from the debate that was held on the campus just one week later. The debate held the following week between Congressman Bishop and Mr. Lee Zeldin was publicized in the local media.

Cost of Event Paid by NYSDC

The rally was held on October 22, 2014 and invoices for the expenses incurred were issued shortly thereafter. The invoices were presented to the Undergraduate Student Government which forwarded them to the NYSDC for payment pursuant to the terms of their contract. The

expenses for custodial/maintenance, fire marshals, parking/security, Staller Center fees, catering, University Police and ticket printing totaled \$12,734.97. Copies of the invoices are attached as Exhibit F. On or about November 13, 2014 the NYSDC paid the invoiced amount in full. A copy of that check is attached as Exhibit G.

Based on the above, it is clear that the University acted in accordance with all federal campaign regulations in allowing its student club to host this political event. As noted in the FEC's own Campaign Guide for Congressional Candidates, "the facilities of [a] school may be provided to the campaign provided that the usual and normal rental charge is paid in the ordinary course of business." (FEC Guide p. 47) The NYSDC did in fact pay all usual and ordinary expenses associated with this event.

Separate Allegation regarding Room Requests made by College Republicans

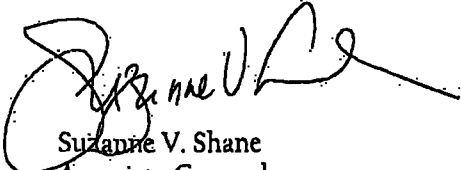
Ms. Doukas' last allegation is that another student group was turned down when they sought to bring Mr. Bishop's opponent onto campus on five days' notice. It is unclear whether, even if true, this would fall under the purview of the Federal Election Commission, however this allegation is also unfounded.

Ms. Doukas fails to name the other student group to which she refers or to identify when this denial allegedly occurred. Assuming that Ms. Doukas is referring to the College Republicans, there is no indication, and the University has no knowledge of, any such request being made during the Fall of 2014. Attached as Exhibit H is a screen shot of the student club scheduling platform used by Student Life. This document shows that between August and November 2014 the College Republicans submitted three room requests to Student Life. On August 23, 2014 they submitted two requests for weekly meetings. One request was granted (Thursdays from 5:30pm-7pm in SAC 304); one was denied since the University is unable to 'block book' more than one weekly meeting per organization until each club has had the opportunity to book one weekly meeting. Additional room requests were permitted after October 10, 2014 but no such request was made to Student Life by the College Republicans. The College Republican's third room request was on November 10, 2014. The club requested a room in the Wang Center to hold an end of year meeting, and that request was approved. Attached as Exhibit I is a screen shot of the denied room requests which shows the one room request that was denied. Other common reasons for denials are: (1) a lack of general availability (programming and meeting spaces are booked to capacity); (2) lack of appropriate space to accommodate the request (based on the details provided in the request, such as anticipated program headcount exceeds the room capacity); and (3) request conflicts with other stated policy (e.g. ag student organization requesting amplified sound at an outdoor event would be denied if the event fell outside approved hours or would cause a disruption of University activities).

Conclusion

The University has demonstrated that (1) it complied with all federal campaign regulations and; (2) Ms. Doukas' second allegation, even if it were not baseless, is wholly unrelated to federal campaign requirements. Accordingly, the University requests that no action be taken against it with respect to Ms. Doukas' complaint.

Respectfully submitted,



Suzanne V. Shane
Associate Counsel

EXHIBIT E

PLEASE JOIN STONY BROOK COLLEGE DEMOCRATS

for

A RALLY IN SUPPORT OF
CONGRESSMAN

Jim Bishop

FEATURING
CONGRESSMAN STEVE ISRAEL

&

SPECIAL GUEST

PRESIDENT
BILL CLINTON

WEDNESDAY
OCTOBER
22ND, 2014

THE STALLER CENTER,
STONY BROOK
UNIVERSITY

100 NICOLLS RD
STONY BROOK, NY 11790

5:00PM

PAID FOR BY THE NEW YORK DEMOCRATIC STATE COMMITTEE